

2015 Regular Session

HOUSE BILL NO. 208

BY REPRESENTATIVES TERRY LANDRY, BURRELL, HALL, PIERRE, AND ALFRED WILLIAMS

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

TRANSPORTATION: Provides relative to monies deposited into the Transportation Trust Fund

1 AN ACT

2 To amend and reenact R.S. 48:78 and to enact R.S. 39:34(E) and 54(D), relative to the
3 Transportation Trust Fund; to provide relative to executive budget recommendations
4 for appropriations of monies out of the Transportation Trust Fund; to provide relative
5 to appropriations of monies out of the Transportation Trust Fund; to provide
6 limitations on the utilization of monies in the Transportation Trust Fund; and to
7 provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 39:34(E) and 54(D) are hereby enacted to read as follows:

10 §34. Executive budget

11 * * *

12 E. The executive budget recommendations for appropriations of any monies
13 out of the Transportation Trust Fund to the Department of Public Safety and
14 Corrections, office of state police, shall not exceed the following:

15 (1) For Fiscal Year 2016-2017, twenty-five million dollars.

16 (2) For Fiscal Year 2017-2018 and each fiscal year thereafter, ten million
17 dollars.

18 * * *

1 §54. Limitations on appropriations

2 * * *

3 D. Appropriations by the legislature of monies out of the Transportation
4 Trust Fund to the Department of Public Safety and Corrections, office of state police,
5 shall not exceed the following:

6 (1) For Fiscal Year 2015-2016, forty million dollars.

7 (2) For Fiscal Year 2016-2017, twenty-five million dollars.

8 (3) For Fiscal Year 2017-2018 and each fiscal year thereafter, ten million
9 dollars.

10 Section 2. R.S. 48:78 is hereby amended and reenacted to read as follows:

11 §78. Transportation Trust Fund; limitations on appropriations; limitations on
12 utilization

13 A. In no event shall monies in the Transportation Trust Fund established in
14 the Constitution of Louisiana be appropriated, dedicated, or otherwise used, directly
15 or indirectly, for the payment of judgments or settlements by any state agency in
16 matters arising in tort, or road hazard insurance, or for any other items inconsistent
17 with highway and infrastructure construction, operations, and maintenance.

18 B. In any given fiscal year, monies appropriated for ports, the Parish
19 Transportation Fund, or its successor, and the Statewide Flood-Control Program, or
20 its successor, and state police out of the Transportation Trust Fund shall not exceed
21 twenty percent annually of the monies deposited in the Transportation Trust Fund
22 from any source, including but not limited to state generated tax monies or fees
23 deposited pursuant to R.S. 32:387, penalties or fees deposited pursuant to R.S.
24 32:388, or earnings realized on the investment of monies in the Transportation Trust
25 Fund deposited in and credited to the Transportation Trust Fund.

26 C.(1) For Fiscal Year 2015-2016, no more than forty million dollars of
27 Transportation Trust Fund monies may be utilized by the Department of Public
28 Safety and Corrections, office of state police.

1 (2) For Fiscal Year 2016-2017, no more than twenty-five million dollars of
2 Transportation Trust Fund monies may be utilized by the Department of Public
3 Safety and Corrections, office of state police.

4 (3) For Fiscal Year 2017-2018 and thereafter, no more than ten million
5 dollars of Transportation Trust Fund monies may be utilized by the Department of
6 Public Safety and Corrections, office of state police.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 208 Engrossed

2015 Regular Session

Terry Landry

Abstract: Places limitations on executive budget recommendations for appropriations and appropriations by the legislature of any monies out of the Transportation Trust Fund (TTF) to the Dept. of Public Safety and Corrections, office of state police. Provides that no more than 20% annually of the monies deposited into the TTF from any source can be appropriated for certain purposes. Places limitations on utilization of the TTF monies by the Dept. of Public Safety and Corrections, office of state police.

Present constitution provides "monies in the transportation trust fund shall be appropriated or dedicated solely and exclusively for the costs for and associated with construction and maintenance of the roads and bridges of the state and federal highway systems, the Statewide Flood-Control Program or its successor, ports, airports, transit, state police for traffic control purposes, and the Parish Transportation Fund or its successor" (Art. VII, §27(B) of the Constitution of La.)

Present constitution further provides that "state generated tax monies appropriated for ports, Parish Transportation Fund, or its successor, and the Statewide Flood-Control Program, or its successor, and state police for traffic control purposes shall not exceed 20% annually of the state generated tax revenues in the trust fund" (Art. VII, §27(B) of the Constitution of La.)

Proposed law retains present constitution.

Present law requires the governor to prepare an executive budget to include recommendations for appropriations.

Proposed law retains present law and provides that executive budget recommendations for appropriations of any monies out of the TTF to the Dept. of Public Safety and Corrections, office of state police, shall not exceed \$25 million for FY 2016-2017 and \$10 million for FY 2017-2018 and each fiscal year thereafter.

Present law generally provides that appropriations by the legislature from the state general fund and dedicated funds for any fiscal year shall not exceed the official forecast in effect at the time the appropriations are made.

Proposed law retains present law and provides that appropriations by the legislature of monies out of the TTF for the Dept. of Public Safety and Corrections, office of state police, shall not exceed \$40 million for FY 2015-2016, \$25 million for FY 2016-2017, and \$10 million for FY 2017-2018 and each fiscal year thereafter.

Present law provides that in no event shall monies in the TTF be appropriated, dedicated, or otherwise used, directly or indirectly, for the payment of judgments or settlements by any state agency in matters arising in tort, or road hazard insurance, or for any other items inconsistent with highway and infrastructure construction, operations, and maintenance.

Proposed law retains present law and provides that in any given fiscal year, monies appropriated for ports, the Parish Transportation Fund, or its successor, and the Statewide Flood-Control Program, or its successor, and state police out of the TTF shall not exceed 20% annually of the monies deposited in the TTF from any source, including but not limited to state generated tax monies, fees, penalties, or earnings realized on the investment of monies in the TTF deposited in and credited to the TTF.

Proposed law further provides that the Dept. of Public Safety and Corrections, office of state police, shall not utilize more than \$40 million of the TTF monies in FY 2015-2016, \$25 million of the TTF monies in FY 2016-2017, and \$10 million of the TTF monies in FY 2017-2018 and each fiscal year thereafter.

(Amends R.S. 48:78; Adds R.S. 39:34(E) and 54(D))